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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/568,035

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EXAMINER

JONES, PRENELL P

ART UNIT

PAPER NUMBER

2419

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/568,035	Applicant(s) CHRISTENSEN, CARL	
	Examiner PRENELL P. JONES	Art Unit 2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 3 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claims 3 and 11, Applicant is claiming support “***card provides support protocols to change***,” which is not described in the specification.

3. **The following is a quotation of the second paragraph of 35 U.S.C. 112:**

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 7, 12 and 13, Applicant is claiming “***adapted for***,” which is language that suggests or makes optional but does not limit the claim to a particular structure; and further does not limit the scope of the claim or claim limitation. Claims 2-6 and 8-11 depend on claim 1, therefore, claims 2-6 and 8-11 are rejected to as well.

Appropriate correction is required.

Claim Objections

5. Claims 5 and 6 are objected to because of the following informalities: Applicant is claiming "**capable of**".

The term "**capable**" in independent claim 5 and 6 makes the limitations following it to be optional, which renders the meads and bounds of the claim to be indefinite.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 5, 6, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura et al (US Patent 6,459,699) in view of Tani et al (US PGPUB 20020169833).

Regarding claim 1-3, 5, 6, 12 and 13, Kimura discloses an multi-stage configuration ATM router wherein the architecture includes a plurality of input and output modules/cards (Abstract, Fig. 1, col. 1, line 48 thru col. 3, line 57).

Although Kimura does not specifically disclose a broadcast router and chassis, Examiner takes official notice that it is inherent that a device with multiple modules/cards includes a chassis which is used to hold the modules/cards. Furthermore, in a multicast communication

transmission environment, Tani discloses a multicast router/broadcast router that accommodates protocol communication (paragraph 0004, 0130, 0146, 0217 and 0239).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement broadcast router and chassis as taught by Tani for the purpose of accommodating multiple users simultaneously, thereby improving access.

Regarding claim 5 and 6, Kimura further discloses that the expansion cards share daisy-chained links/channels/bandwidth, wherein the configuration accommodates hot swapping channels (Figs. 2A-2D and 4A-4E, col. 3, 5 and 6).

Regarding claim 3, Kimura further discloses ATM router includes expansion interface modules (Fig. 1, col. line 48 thru col. 3, line 57).

8. Claim 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura et al (US Patent 6,459,699) in view of Tani et al (US PG PUB 20020169833) as applied to claim 1 above, and further in view of Sarkinen et al (US PG PUB 2003/0058880).

Regarding claim 4 and 11, as indicated above, combined Kimura and Tani discloses a broadcast router that includes multiple input/output cards/modules, wherein the router accommodates expansion interfaces.

Although both Kimura and Tani fail to disclose expansion cards associated with TDM, in a multicasting communication routing environment, Sarkinen discloses a multi-stage configuration switch wherein the architecture includes multiple line cards which accommodate TDM protocol communication (paragraph 0082).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement expansion cards associated with TDM as taught by Sarkinen for the purpose of accommodating multiple users simultaneously, thereby improving access.

9. Claim 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura et al (US Patent 6,459,699) in view of Tani et al (US PG PUB 20020169833) as applied to claim 1 above, and further in view of Cloonan et al (US Patent 5,550,815).

Regarding claim 7-10, as indicated above, combined Kimura and Tani discloses a broadcast router that includes multiple input/output cards/modules, wherein the router accommodates expansion interfaces.

Although combined Kimura and Tani are silent on utilizing matrix cards, in an ATM packet routing environment, Cloonan discloses matrix modules (Figs. 1 and 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement matrix modules associated as taught by Cloonan for the purpose of accommodating multiple users simultaneously, thereby improving access and reduce data loss.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Pankaj Kumar can be reached on 571-272-3011. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

/Prenell P Jones/

Examiner, Art Unit 2419

September 27, 2009

/Hong Cho/

Primary Examiner, Art Unit 2419